

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 6:17-03007-CR-RK-1
	)	
RANDY G. DABNEY,	)	
	)	
Defendant.	)	

**ORDER ADOPTING MAGISTRATE’S REPORT AND RECOMMENDATION**

Before the Court are Defendant Randy Dabney’s motion for leave to file a motion to suppress out of time. (Doc. 291.) On July 19, 2019, United States Magistrate Judge David P. Rush issued the Report and Recommendation. (Doc. 300.) Defendant then filed objections to the Report and Recommendation. (Doc. 301.)

Pursuant to Federal Rule of Criminal Procedure 59(b)(3), “[a] district judge must consider de novo any objection to a magistrate judge’s recommendation.” After an independent, de novo review of Defendant’s motions (Docs. 289, 291), the Government’s response (Doc. 296), Defendant’s reply (Doc. 297); Judge Rush’s Report and Recommendation (Doc. 300), the Defendant’s objection (Doc. 301), and the applicable law, the Court adopts the Report and Recommendation of Judge Rush in its entirety.

Accordingly, it is **ORDERED** that:

- (1) Defendant’s motion for leave to file a motion to suppress out of time (Doc. 291) is **DENIED**; and
- (2) Magistrate Judge David P. Rush’s Report and Recommendation (Doc. 300) shall be attached to and made a part of this Order.

s/ Roseann A. Ketchmark  
ROSEANN A. KETCHMARK, JUDGE  
UNITED STATES DISTRICT COURT

DATED: November 13, 2019